

Editor's Department.

MIRAMICHI:

CHATHAM, SATURDAY, NOVEMBER 21, 1857.

TERMS.—New Subscribers Twelve Shillings and Six Pence, per annum, in all cases in advance. Old Subscribers 12s. 6d. in advance, or 15s. at the end of the year. We prefer the advance price, and as it effects a large saving, we hope soon to see all our subscribers avail themselves of it. To Clubs of five and upwards, to one address, Ten Shillings a year in advance.

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CENTRAL BANK AGENCY, CHATHAM
Discount days TUESDAYS and FRIDAYS, Hours for business from 10 to 3 o'clock. Notes for Discount to be lodged at the Bank before 3 o'clock, on the day immediately preceding the discount day.

SAVINGS' BANK.

Deposited November 2, 1857 £264 12 7
Withdrawn, including interest, 645 17 10

WEEKLY CALENDAR.

Moon	First Qr.	24th, 1 1/11 P. M.	HIGH WATER.
22 S.	24th Sunday after Trinity.	8 51	9 10
23 M.		9 32	9 55
24 T.	John Knox died 1572.	10 21	10 51
25 W.	Gale in Bay of Fundy 1846.	11 21	11 56
26 Th.			0 36
27 F.		1 11	1 46
28 S.	Canada invaded 1812.	2 17	2 48

The above Tides having been calculated with regard to the moon's horizontal parallax and angular distance from the sun, will be found to be correct, due allowance being made at times for high winds and freshets. For Richibucto, subtract, 2h30m—Bathurst, 2h45m—Dalhousie, 2h50m from the above.

THE MURDER CASE IN ST. JOHN.

OUR St. John exchanges are nearly filled with the report of the Trial of Patrick Slavin, Jr., for the Murder of Mr Robert McKenzie, his wife and four children, who resided on the Mispeck Road, eleven miles from the city. The other two monsters—Patrick Slavin, Sen., and Hugh Breen—pleaded guilty. We have read of the perpetration of heartless crimes, of cruel murders, but never of one more deliberately planned, and so ruthlessly carried out, for no other aim or object than to acquire the money which they knew their victims had in their possession.

Last week we gave the result of the trial—obtained by telegraph—and we give below some further information obtained from various sources:—

Robert McKenzie, the murdered man, was a native of Scotland, who had been domiciled in New Brunswick many years, having carried on the business of a tailor in different parts, latterly in St. John, and from which business he had retired on an ample competency, to a farm at Mispeck, which he owned, and which by the expenditure of skill and capital he had brought to high state of fertility. Surrounded by every necessary comfort, joined to a faithful and attached partner, and blessed with a numerous progeny, Robert McKenzie was in such a position as most tradesmen aspire to, as a happy means of passing the evening of their career. But beside the quiet business of his farm, Mr McKenzie was also a money lender, and it is said that he made an ostentatious display of his wealth before every one who came to borrow. Be that as it may, it would seem to have required very little to have excited the cupidity of the wretches by whom this poor man's life was taken.

About the last week of October McKenzie was desirous of getting the assistance of a farm labourer. He had an unoccupied house, which he offered for the use of his labourer, and he likewise offered a certain sum per acre for all the work the labourer performed. Not far from McKenzie's house was the hat of the Slavins, now charged with the murder, and here stayed James Breen, who seems to have adopted several aliases for what purpose it is not now difficult to understand. Breen was anxious to engage with McKenzie to work on his farm, and it is ascertained that he did so engage with him. Breen was to occupy the empty house, nearly opposite McKenzie's, and he was to bring his wife and family there to live. Whether Breen had a wife and family to bring is doubtful, there is little doubt however, that he never intended to bring them.

The Courier thus notices the concluding of the trial:

"Yesterday, the fourth and concluding day of the trial, the court was still equally crowded at the opening as it had been from the commencement, and the prisoner appeared to manifest the same unconcern as he had done throughout.

"After the opening of the court, the Solicitor General, anticipating the line of defence likely to be set up, cited a number of authorities to show how far imbecile persons were excusable in the eye of the law for the commission of crime, and laying down the general principle that it could not be held as a plea of exculpation unless it was shown that the accused had no knowledge of the difference between right and wrong.

"Kerr addressed the Jury on behalf of the Prisoner, contending that the greater part of the evidence did not bear on the charge against him in the least, and that in fact he had neither been participator in the act of the other prisoners, nor had planned nor combined with them for its perpetration. He also read the law to show, that infancy, imbecility and coercion, could all be pleaded in exculpation, and in application of these principles to the case of the prisoner, argued that his age and want of mental capacity, rendered him irresponsible, by disqualifying him from judging correctly of the nature of the acts he was engaged in, and what he did was done under the influence and coercion of his father. The learned gentleman spoke nearly two hours, going over the evidence and the various points of the case favorable to the prisoner, and concluded by an earnest and touching appeal to the feelings and mercy of the Jury in his behalf.

"In closing the case for the crown Attorney General said, that he had been called on to address courts and juries on almost every kind of crime and iniquity, but never had he a duty to discharge like the present, nor crimes to prosecute equalling in magnitude an enormity those now before the court. He passed a high eulogium on the counsel engaged for the prisoner, for their exertions in his defence, and on the Jury for the attention they had given to both sides of the evidence, and asked them if they could find a single basis of doubt, in the midst of the awful desert of iniquity laid before them, to give the prisoner its benefit. Of the four or five crimes committed, he said, the crown had selected the greatest of all known to human law to prosecute on, and in proving it had deemed it necessary to bring forward all the evidence bearing on it that could be procured. The time of the murder he said was proved, the fact of who did it, the way it was done, and who were there when it was committed. He then went on to review the various features of the case, and showed the capacity and complicity of the prisoner by his conduct both previous and subsequent to the murder; and met the arguments of the prisoner's counsel seriatim on these points. The Attorney General ridiculed the idea of imbecility of mind on the part of the prisoner, and showed from his behaviour, before, and after the murderer, in the intelligence which he had displayed and the responsibility which that intelligence involved. In conclusion he warned the Jury to throw all feeling aside, and look at the case only in the light of strict and impartial justice. They were the guardians under the law of the public safety: and it was their duty to the unprotected houses and families scattered throughout the country, to see that the law applied, as what might be deemed mercy now, might turn out to be great injustice hereafter. The address lasted nearly an hour, and was an able effort for argument and eloquence.

"His Honor the Judge summed up the evidence in the afternoon at considerable length, and explained the law to the Jury on various points they would have to decide. The charge was, as it behaved to be, from the evidence, strongly against the prisoner, and the Jury, after an absence of about half an hour, brought in a verdict of *Guilty*, with a recommendation to mercy on account of the Prisoner's youth, and the want of good example and instruction under which he had been brought up. The faces of the Jury when they came in, told the verdict they were about to render before a word was spoken, the expression of every countenance being that of a man charged with the solemn responsibility of dooming to death a fellow creature. The Judge was also deeply affected during the reading over of those parts of the evidence relating to the perpetration of the horrible crimes committed.

"Sentence Passed.—During the time the Jury were out considering their verdict, the Judge ordered the other two Prisoners, Breen and the elder Slavin, to be brought into Court, when the Attorney-General moved for sentence against them. The Clerk having read the finding on the indictment, and asked if they had anything to say why sentence should not be pronounced. Breen replied "I am satisfied;" Slavin did not speak. After the usual formality of proclamation, His Honor proceeded in a most solemn and impressive address to pass the last sentence of the law upon the unhappy Prisoners, which was, that they be taken from where they were, back to the jail, and from thence to the place of execution, on Friday, the eleventh day of December next, and there hanged by the neck till they were dead, and may God have mercy on their souls. Sentence on the younger Slavin was deferred."

The Chronicle has the following remarks on the murder, the trial, and the numerous outrages which have of late been committed in and near that city.

"We have previously stated that when the three parties (Breen, Slavin, and Slavin, junr.) were arraigned, the former plead *Guilty* and refused to withdraw that plea. On Monday last old Slavin was brought into Court, and charged in two Indictments—first with killing

Mrs McKenzie, and in the second with killing one of the children.—To the former indictment the prisoner plead *Guilty*, and to the latter also he gave the same plea, saying "I'm guilty, and this was the only one I done by myself."

"On Tuesday the trial of young Slavin commenced at the Court House, and it has continued up to the present time—the rendering of the evidence not having concluded until last evening. The Counsel on both sides will be heard to-day, and it is probable that by night the Jury will have determined upon their verdict.

"Breen and old Slavin having pleaded *Guilty*, were permitted to give their evidence yesterday. The former denied having killed either of the M'Kenzie family, or that young Slavin had committed any of the murders. But the public were completely horror-struck on hearing the revelations of old Slavin, who, we are informed, acknowledged to having murdered the whole family of himself!! It is a wonder that the excited crowd had not dragged him from the box, and torn him limb from limb, as he richly deserved. He might have spared the people such a horrid revelation, until the gallows was prepared to give him his deserts."

"Although it may be thought these guilty men would not now have any object in telling an untruth, yet their testimony is not credited, and it certainly does not agree either with the evidence of Slavin's youngest son, (who is the chief witness against the prisoners,) or the statement of old Slavin, who said on Monday that the murder of the child was "the only one he done by himself."

"Yesterday the Grand Jury indicted Bernard Hegarty, for harboring and assisting the murderers to escape. He was arraigned and plead "Not Guilty."—This is as it should be, and it is to be hoped that the Crown Officers and the Grand Jury will ferret this horrid tragedy to the bottom, that none may escape punishment who have had complicity in the murder, either before or after its enactment. The public safety demands this course at the present time,—the recent burnings and robberies, coupled with the present tragedy, have put people in the wildest state of excitement,—families huddle together and keep watch all night, instead of taking their accustomed rest,—fire arms are in requisition in every house—and farmers come to town armed with revolvers, to protect themselves from the assaults of the numerous desperados who infest the line of railway construction.

"This state of things must be put a stop to and the measure of punishment meted out to the murderers of the M'Kenzie family, and their accomplices, will determine whether it shall continue or not."

A great deal has been published of late in the St. John papers, condemnatory of "the Death Penalty." What will the advocates of this doctrine now say? Would they desire to see the lives of those monsters preserved, and to have the industrious and worthy portion of the community taxed to clothe and feed them as long as a kind Providence continued to them their miserable existence? They possessed reasoning faculties: in perpetrating this bloody tragedy they felt they were committing an inhuman act: conscience, the dictates of our common nature told them this: they knew the penalty attached; but they stifled them all, for the acquisition of the gold they knew their victims possessed. To obtain this they run all risk, and it is a source of satisfaction they have been detected, and to know they will suffer for their great crime. But even this is a small requital for the shedding of innocent blood, and the outrage they committed on the laws both of God and man.

We feel persuaded the propagation of this doctrine, the ingenuity displayed to discover some Legal quibble to protect, exonerate, and rescue criminals from just punishment, when brought to trial; and when found guilty, the mawkish sentimentality evinced by the people in their behalf, and the anxiety manifested that they should be leniently dealt with and carefully tended. All these things, we maintain, have had a most pernicious effect on society, and been the cause of many of the unheard-of crimes which have of late disgraced the age in which we live.

This is the most heinous crime we believe ever committed in the Province, and we trust we shall never be called on to record a similar one.

INDIAN RELIEF FUND.

FROM a late London Paper we take the following Resolutions passed at a meeting of the Committee, for the distribution of this fund, held at the Mansion House:—

"2. The object of this Committee is to relieve, as far as may be practicable and necessary, the distress caused by the mutinies in India.

"3. Compensation for losses as such will in no case be given.

"4. Subject to the preceding conditions, the efforts of the committee will be specially directed:—

"First—To enable the sufferers to live with frugality in their respective states of life until other means of subsistence are available.

"Second—To provide for the maintenance and education of children in cases in which it has been interrupted or prevented by casualties arising out of the mutiny, and in which it cannot be provided for from other sources.

"Third—To assist the sufferers to come to this country or to go to India, when the circumstances render it proper that they should do so, and the means of paying for their passage cannot be obtained from any other source.

"Fourth—To afford reasonable aid, by loan or otherwise, to officers and others who have lost their equipments, furniture, or other property, by the necessity of sudden flight from their stations or the destruction of their dwellings, when without such aid they would be involved in pecuniary embarrassments.

"Fifth—That relief according to those principles be given without distinction of nationality, to every person, of whatever rank, who has a just claim on the sympathy and assistance of the British people."

COUNTY GLOUCESTER.

A Correspondent at Bathurst, under date of November 19, has furnished us with the following acknowledgements of sums received by the Committee at Bathurst, for the relief of the French Widows and Orphans.

"The Committee at Bathurst for collecting aid for the relief of the French Sufferers by the Storm of July last, on the Gulf Shore, beg to acknowledge the following further contributions towards that object. Viz.

His Excellency The Hon J. H. S. Manners Sutton,	£10 0 0
John McKenna, Esq.,	1 0 0
Mr David Landell,	0 5 0
	11 5 0

He also furnishes the following melancholy picture of the times, in that quarter.

"Public attention is chiefly occupied, and intensely occupied too, by the stormy character of commercial affairs. A wretched winter is predicted, all our shipbuilders, more or less are *hung up*—paralyzed and dispirited, and this will, I fear be the case all over the Province. Fortunately the Earth has yielded bountifully this year, in this quarter, and the Husbandman will have a resource, denied to the labourer and artisan. Mild open weather continues."

YESTERDAY'S MAIL.

Owing to the long continued spell of wet weather, which has prevailed with few exceptions for six weeks, the roads are in a most wretched condition. This has retarded the arrival of the mails, and the one due yesterday morning, did not reach until 8 o'clock last evening. It brought the British mail, and we have made such extracts as the limited time afforded by the late hour at which the papers reached us, would admit.

COLONIAL NEWS.

THE papers by the mail last night furnish but little that is new or interesting. The Westmorland Times records the death of R. D. Gilbert, Esq. one of the Members of that County. It also states that the dwelling, barns, &c. of Jacob Wortman, Esq., were totally consumed on Sunday last. A person named Carey was arrested on suspicion of having set them on fire. Loss £750.

UNITED STATES NEWS.

THE Anglo Saxon Newspaper, published at Boston by Dr. Bartlett, has been discontinued. On the night of the 27th October, a number of masked men entered St. Thomas's street, New Orleans, and commenced stabbing and shooting down the persons found on the street. A dozen were killed and wounded—all Irish. The want of employment has occasioned much distress in all the large cities.

LOCAL INTELLIGENCE.

WEEKED.—On the 21st of last month, four days after leaving the Miramichi Bar, on her voyage to Liverpool, the ship *Arabian*, about 8 o'clock at night, it being very dark and foggy, struck on a reef of rocks at St. Augustine, on the Labrador coast. In the morning the mate and part of the crew left the ship in the long boat, and were three days and three nights before they made land, about forty miles from the ship, where they were humanely and kindly treated by Mr Kenedy, the only inhabitant in that quarter, whose schooner they chartered for the purpose of returning to Miramichi.—